

# **EXHIBIT**

# **U**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to:  <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

**DECLARATION OF ROGER FERNANDEZ**

I, Roger Fernandez, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached as Exhibit A to this Declaration is a true and correct copy of my birth certificate.

3. On September 11, 2001, I was present at One World Trade Center when the terrorist attacks at the World Trade Center occurred.

4. At the time of the September 11th terrorist attacks, I was working for Instinet Clearing Services at One World Trade Center, located on the 13<sup>th</sup> floor. I had worked for Instinet since January 2000 until May 2002. At the time of the collapse of Tower Two, I was in the Mezzanine of Tower One and inhaled large amounts of smoke and debris and the hot debris melted into my corneas causing long-term damage. I sought medical help on the same day as the terrorist

attack for my eyes. I was diagnosed with corneal erosion, corneal edema, chronic sinusitis, high blood pressure and have chronic stomach ailments. I have had major surgeries involving damage to my liver, kidneys and intestines.

5. I was in New York City at Ground Zero when the planes hit the towers and I received physical injuries in the escape and collapse. In the course of the attack and my escape, I witnessed atrocities beyond the imagination of the average citizen. The situation could only be compared to a war zone. I was going about my everyday life in a peaceful manner when we were brutally attacked by terrorists and my life was altered forever.

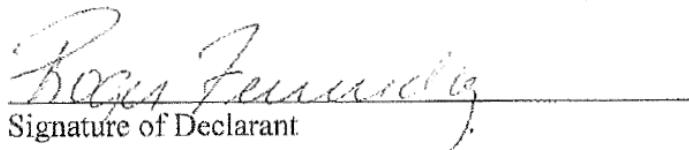
6. As a result of these terrorist attacks, I suffered the following specific injuries on September 11, 2001: corneal erosion, corneal edema, chronic sinusitis, high blood pressure and chronic stomach ailments.

7. I sought medical attention for my injuries after the September 11th terrorist attack and my treatment is ongoing. Attached as Exhibit B to this Declaration is a true and correct copy of my medical records from NYU Langone Health System. Attached as Exhibit C to this declaration is a true and correct copy of my medical records from Dr. Harvey Richman; related to the treatment that I received following the September 11, 2001 terrorist attacks.

8. I previously pursued a claim (Claim Number VCF unknown) through the September 11<sup>th</sup> Victim Compensation Fund specifically related to my physical injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation.

I declare UNDER PENALTY OF PERJURY that the foregoing is true and correct.

EXECUTED on this 31 day of December, 2019.

  
Signature of Declarant

**EXHIBITS  
FILED  
UNDER SEAL  
(ECF No.  
5716)**